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DE RUEHBW #0653 1891023
ZNR UUUUU ZZH
P R 081025Z JUL 09
FM AMEMBASSY BELGRADE
TO RUEHC/SECSTATE WASHDC PRIORITY 0058
INFO RUEHBW/AMEMBASSY BELGRADE

UNCLAS BELGRADE 000653

SENSITIVE
SIPDIS
DEPT FOR L/DL
INFO EUR-IO/EX/PMO - MARGARET SULA

E.O. 12958: N/A

TAGS: [KLIG](#) [AMGT](#) [PREL](#) [SR](#)

SUBJECT: REQUEST FOR GUIDANCE: SUBPOENA FOR MAIN HEARING IN THE
CRIMINAL CASE RELATED TO SETTING THE FIRE DURING ATTACK ON EMBASSY ON
FEBRUARY 21, 2008

11. (U) Summary and Action Request: The Embassy requests L/DL
guidance on how to respond to an improperly serviced criminal case
subpoena. End summary and action request.

12. (SBU) The Embassy has received a subpoena in the role of "a party
that suffered a damage" from the District Court of Belgrade for the
main hearing in the criminal court case against accused Milan
Zivanovic, who is being charged for setting the fire during attack on
Embassy on February 21, 2008. The hearing is scheduled for November
4, 2009. The subpoena was not/not properly serviced on the Embassy
through the MFA, but rather received directly from the court.

13. (SBU) Background: Milan Zivanovic was in a group of attackers on
the Embassy on February 21, 2008, who forcibly entered the Embassy
and set fire in which one of the participants in the attack died.
The District Public Prosecution in Belgrade has charged Milan
Zivanovic with public order offenses (bringing people's lives into
danger) that carry a potential 12-year jail term. He is also accused
of theft from the Embassy on the same indictment.

14. (U) Please advise Post how to respond to the improperly serviced
subpoena from the court. Many thanks.
BRUSH